

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:12-00167-02

JAMIE L. FOSTER

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On August 5, 2014, the United States of America appeared by Jennifer R. Herrald, Assistant United States Attorney, and the defendant, Jamie L. Foster, appeared in person and by her counsel, Philip B. Sword, for a hearing on the petition on supervised release submitted by United States Probation Officer Joseph Black. The defendant commenced a three-year term of supervised release in this action on June 20, 2013, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on March 15, 2013.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant failed to work regularly at a lawful occupation from the time of the commencement of supervised release on June 20, 2013, up until the time of the filing of the petition on June 12, 2014, despite being referred to Workforce West Virginia; (2) the defendant used and possessed two opiate pain pills without a prescription on March 15, 2014, and one opiate pain pill on February 19, 2014, without a prescription as admitted by her to the probation officer on March 20, 2014; (3) the defendant failed to report for urine screens as directed on October 31, November 4 and December 31, 2013; January 15, February 3 and 18, March 4, 17 and 27, April 14 and 23, and May 14 and 28, 2014; (4) the defendant failed to attend substance abuse counseling as instructed on June 20, 2013, inasmuch as she was directed to attend two, one hour sessions per month and as of June 12, 2014, she had only attended three counseling sessions; and (5) the defendant committed the state and local offenses of driving on a suspended license, no seat belt and no insurance for which she was cited in March, 2014, and as admitted by her to the

probation officer on March 20, 2014; all as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

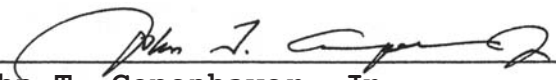
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and she hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of THREE (3) MONTHS, to be followed by a term of thirty-three (33) months of supervised release upon the standard conditions of supervised release now in effect in this district by order entered June 22, 2007, and the further condition that the

defendant not commit another federal, state or local crime and the special condition that she spend a period of six (6) months in a community confinement center, follow the rules and regulations of the facility, and participate in drug abuse counseling and treatment as directed by the probation officer.

The defendant shall surrender for service of the sentence to the United States Marshal by 11:00 a.m. on August 15, 2014, and remains subject to the terms and conditions of the bond entered into by her on July 17, 2014.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: August 5, 2014



John T. Copenhaver, Jr.
United States District Judge